

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1437

IN THE MATTER OF:

Application of AIR TRANSIT, INC.,)	Served June 13, 1975
for Temporary Authority)	Application No. 857
)	
Application of AIR TRANSIT, INC.,)	Application No. 862
for a Certificate of Public)	Consolidated Docket No. 284
Convenience and Necessity)	

By Order No. 1411, served March 13, 1975, Air Transit, Inc.'s Application No. 857 for temporary authority was scheduled for public hearing to commence on April 8, 1975. The public hearing then was rescheduled for May 30, 1975, by the Commission in Order No. 1416, served March 28, 1975. On April 24, 1975, Air Transit filed Application No. 862 for a certificate of public convenience and necessity. By Order No. 1423, served April 28, 1975, Application Nos. 857 and 862 were consolidated for the purpose of public hearing. Then counsel for Air Transit requested that the Commission reassign the applications for public hearing commencing June 16, 1975. This request was granted by the Commission in Order No. 1426, served May 15, 1975.

On June 12, 1975, counsel for Air Transit requested a further continuance of the public hearing to September 8, 1975. The reason for the request is stated to be a number of factors that will prevent the orderly presentation of the case on June 16, 1975. A similar reason was stated in support of the previous request for a postponement of the public hearing from May 30, 1975, to June 16, 1975.

The Commission is of the opinion that Application Nos. 857 and 862 should be dismissed without prejudice to Air Transit filing new applications at a subsequent date. Cf. Application of DIAMOND TOURS, INC., for Amendment of Certificate of Public Convenience and Necessity and Application of THE GRAY LINE, INC., for Amendment of Certificate of Public Convenience and Necessity, Order No. 1301, served January 29, 1974. In this instance, the Commission believes that Air Transit has failed adequately to bear

its burden of showing good cause. The several delays of Application No. 857 for temporary authority have postponed a decision by this Commission from April 1975 to September 1975, and have rendered stale the question of immediate and urgent need. Furthermore, dismissal of Application No. 862 for a certificate of public convenience and necessity will not prejudice the interest of Air Transit or adversely affect the public interest.

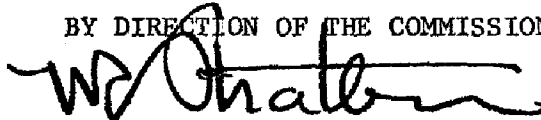
THEREFORE, IT IS ORDERED:

1. That Application Nos. 857 and 862 of Air Transit, Inc., as consolidated in Docket No. 284, be, and they are hereby, dismissed without prejudice to the filing of new applications.

2. That the request of counsel for Air Transit, Inc., for a continuance of the public hearing from June 16, 1975, to September 8, 1975, be, and it is hereby, dismissed as moot.

3. That the public hearing scheduled for June 16, 1975, by Order No. 1426, served May 15, 1975, be, and it is hereby, cancelled.

BY DIRECTION OF THE COMMISSION:

A handwritten signature in dark ink, appearing to read "W. R. Stratton", written over a horizontal line.

WILLIAM R. STRATTON
Vice-Chairman